

FILED
3/18/21 8:09 am
CLERK
U.S. BANKRUPTCY
COURT - WDPA

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

In RE:)	DEFAULT O/E JAD
)	
RICHARD L. NISEWONGER, SR. and)	BANKRUPTCY NO. 19-70166 -JAD
MICHELLE A. NISEWONGER, his wife)	
Debtors)	CHAPTER 13
PEOPLES NATURAL GAS COMPANY,)	
LLC)	RELATED TO ECF NO. 47
Movant,)	
vs.)	
RICHARD L. NISEWONGER, SR. and)	
MICHELLE A. NISEWONGER, his wife,)	
and RONDA J. WINNECOUR, ESQUIRE,)	
Trustee)	
Respondents.)	

ORDER OF COURT

AND NOW, to-wit, this 18th day of March, 2021, upon Motion of the Peoples Natural Gas Company, LLC, service of the same upon Debtors and Debtors' Counsel and failure of the same to Object or Respond, it is hereby ORDERED, ADJUDGED and DECREED that:

1. The Debtors have failed to pay their utility bills and/or security deposit to the Peoples Natural Gas Company, LLC as and when they became due post petition. The Peoples Natural Gas Company, LLC is entitled to be paid for this administrative claim and either to terminate utility service to the Debtors or be granted adequate assurance of future payment.

2. The Court finds that continued utility service is necessary for an effective reorganization by the Debtors. Therefore, the administrative claims of the Peoples Natural Gas Company, LLC as set forth in the foregoing Motion are hereby allowed and are to be paid through the Chapter 13 Plan. In addition, as further adequate assurance of payment, the Debtors are hereby ordered to hereafter make the monthly budget payment for utility service provided by Peoples Natural Gas Company, LLC through the Trustee as part of the Chapter 13 Plan. The budget payment as of the date of this Order is \$70.00. **The total amount to be included in the Plan, including budget and arrearages, is set forth in paragraph four (4) of this Order.**

3. In order to pay the combined administrative claims and ongoing budget of the Peoples Natural Gas Company, LLC, the Plan payment must be increased. Distribution to Peoples Natural Gas Company, LLC must begin effective beginning in April of 2021.

4. To provide for the claims allowed in this Order, and to provide the ongoing budget as adequate assurance, the sum of \$100.84 shall be distributed to the Movant, the Peoples Natural Gas Company, LLC over the life of the Plan, and shall be paid at priority level three (3). The Trustee is hereby authorized and directed to make immediate interim distribution of the funds due to the Peoples Natural Gas Company, LLC.

5. If the ongoing budget required to maintain utility service to the Debtors should increase significantly, the monthly amount due on this long term continuing debt may be amended by Peoples Natural Gas Company, LLC in accord with its usual procedures upon notice to the Debtors or their attorney and the Chapter 13 Trustee. Whatever sums may remain due on the post petition account once this case has concluded will not be discharged, and remain the liability of the Debtors.

6. If the counsel for the Debtors has not consented to the Order by signing below, this Order is entered by Default subject to the Debtors' right to seek reconsideration of this Order, by written Motion, within twenty (20) days of the date of this Order.

7. Unless reconsideration of this Order is timely sought, the Debtor's counsel or the Debtor are hereby ordered to file an amended plan including Peoples Natural Gas Company, LLC as set forth in this Order within fifteen (15) days of the date of this Order. Debtor's counsel or Debtor shall simultaneously file an amended wage order which shall be in the amount required by the amended plan.

8. The debtor's post petition account number is xxxxxxxx8176.

BY THE COURT:


HON. JEFFERY A. DELLER
UNITED STATES BANKRUPTCY JUDGE

cc: S. James Wallace, GRB Law, 437 Grant Street, 14th Floor, Pittsburgh, Pa. 15219-6107

In re:
Richard L. Nisewonger, Sr.
Michelle A. Nisewonger
Debtors

Case No. 19-70166-JAD
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-7

User: lfin

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Date Rcvd: Mar 18, 2021

Form ID: pdf900

Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Mar 20, 2021:

Recip ID	Recipient Name and Address
db/jdb	+ Richard L. Nisewonger, Sr., Michelle A. Nisewonger, 1929 Walton Avenue, Altoona, PA 16602-4543

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Mar 20, 2021

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on March 18, 2021 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor FREEDOM MORTGAGE CORPORATION bnicholas@kmlawgroup.com
Office of the United States Trustee	ustpregion03.pi.ecf@usdoj.gov
Ronda J. Winnecour	cmecf@chapter13trusteedpa.com
S. James Wallace	on behalf of Creditor Peoples Natural Gas Company LLC ecfpeoples@grblaw.com PNGbankruptcy@peoples-gas.com
Theresa C Homady	on behalf of Debtor Richard L. Nisewonger Sr. thomady1@msn.com, homadylaw@gmail.com;bkchomady@outlook.com;9893@notices.nextchapterbk.com

District/off: 0315-7

User: lfin

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Date Rcvd: Mar 18, 2021

Form ID: pdf900

Total Noticed: 1

Theresa C Homady

on behalf of Joint Debtor Michelle A. Nisewonger thomady1@msn.com
homadylaw@gmail.com;bkchomady@outlook.com;9893@notices.nextchapterbk.com

TOTAL: 6